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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/840,186	05/06/2004	Mehran Asdigha	03-IMP-035	7515
29393	7590	02/01/2006	EXAMINER	
ESCHWEILER & ASSOCIATES, LLC NATIONAL CITY BANK BUILDING 629 EUCLID AVE., SUITE 1210 CLEVELAND, OH 44114			VANORE, DAVID A	
			ART UNIT	PAPER NUMBER
			2881	

DATE MAILED: 02/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/840,186

Applicant(s)

ASDIGHA ET AL.

Examiner

David A. Vanore

Art Unit

2881

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 17 January 2006.
- 2a) ☐ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-48 is/are pending in the application.
- 4a) Of the above claim(s) 44-48 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-4, 9-21 and 24-43 is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☒ Claim(s) 5-8, 22 and 23 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 May 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 5/04/9/04/12/05. 12/15/05
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☒ Other: IDS filed 12/15, 21/05.

## DETAILED ACTION

### *Election/Restrictions*

1. Applicant's election without traverse of Species I, drawn to claims 1-24 and 39 in the reply filed on January 17, 2006 is acknowledged.
2. Applicant has asserted that claim 1 is generic to claims 2-43. These remarks are found persuasive by virtue of the dependency of claims 2-43.
3. Claim 1 is generic and allowable. Accordingly, the restriction requirement as to the encompassed species is hereby withdrawn and claims 2-43, directed to the species of the embodiment illustrated in Fig. 2 are no longer withdrawn from consideration since all of the claims to this species depend from or otherwise include each of the limitations of an allowed generic claim. However, claims 44-48, directed to the species of the embodiment illustrated in Fig. 9 remain withdrawn from consideration since they do not depend upon or otherwise include all the limitations of an allowed generic claim as required by 37 CFR 1.141.
4. In view of the above noted withdrawal of the restriction requirement as to the linked species, applicant(s) are advised that if any claim(s) depending from or including all the limitations of the allowable generic linking claim(s) be presented in a continuation or divisional application, such claims may be subject to provisional statutory and/or nonstatutory double patenting rejections over the claims of the instant application. Once a restriction requirement is withdrawn, the provisions of 35 U.S.C. 121 are no longer applicable. See *In re Ziegler*, 44 F.2d 1211, 1215, 170 USPQ 129, 131-32 (CCPA 1971). See also MPEP § 804.01.

### ***Drawings***

5. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the brushless curvilinear motor and ferrous/non-ferrous core forcer recited in claims 5-8 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Objections***

6. Claims 5-8 and 22-23 are objected to because of the following informalities:

7. The claimed features recited in claims 5-8, pointed out above with respect to the objected to drawings, are not shown in the figures.

8. Claim 22 depends on claim 22. Claim 23 depends on claim 22. The dependency of claim 22 being unclear, for purposes of this examination the dependency of claim 22 has been treated as if it depended on claim 21, as the limitation of a third joint appears first in this particular chain of dependency in claim 21.

9. Appropriate correction is required.

***Allowable Subject Matter***

10. Claims 1-21 and 24-43 are allowed.

11. The following is an examiner's statement of reasons for allowance:

12. The main reason for allowance over the prior art is the limitation in claim 1, taken as a whole with the other limitations of claim 1, requiring that the scanning device for handling a substrate comprises first and second links, or arms, but these links, or arms, are not coupled by and joint, where the joint coupling said first and second links is coupled to a base, and that the second link is further coupled to an actuator to translate the second joint to oscillate the substrate held in an effector mouthed to the first link.

13. The examiner first cites US Patent Application 2005/0184253 to Ioannou et al. The Ioannou et al. reference teaches, as illustrated in Fig. 1, a substrate scanning apparatus. The key difference between this prior art and the claimed invention is that the joint coupling the two links (120 and 115) is not coupled to a base. The coupling to a base (105) occurs at joint 125, leaving joint 130 free to articulate in a 360 degree arc

(135) as illustrated in at least Fig. 2. The claimed invention therefore differs in structure and function from the prior art.

14. Other notable prior art are similar in the same regards, and in each case, the invention recited in claim 1 differs from them for the reasons pointed out with respect to Ioannou et al. See also:

15. USPN 6,953,942 to Graf et al.

16. USPN 6,777,687 to Vanderpot et al.,

17. USPN 6,429,442 to Tomita et al.

18. USPN 6,384,418 to Fujii et al.

19. USPN 5,746,565 to Telpolt.

20. USPN 5,737,500 to Seraji et al.

21. USPN 5,486,080 to Sieradzki.

22. US Patent Application 2003/0123958 to Sieradzki et al.

23. For the reasons set forth above, claim 1 is allowable over the prior art. Claims 2-

24. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

25. This application is in condition for allowance except for the following formal matters:

26. The drawing objection pointed out above and the objection to the typographic error in claims 22-23 must be corrected.

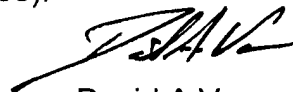
27. Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

28. A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David A. Vanore whose telephone number is (571) 272-2483. The examiner can normally be reached on M-F 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John R. Lee can be reached on (571) 272-2477. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
David A Vanore  
Patent Examiner  
Art Unit 2881

1/30/06